

House Committee on Appropriations
Subcommittee on Energy and Water
FY2020- **Rep. Jeff Duncan (SC-03)**
Testimony for the Record

Mr. Chairman, I am here today to speak in support of the funding levels in President Trump's budget request for nuclear waste disposal. As you begin to work on the Fiscal Year 2020 Energy and Water Development Appropriations bill, I urge you to support the President's budget request of \$116 million for nuclear waste disposal, specifically the \$38.5 million in the Nuclear Regulatory Commission's Nuclear Materials and Waste Safety Program for related activities at Yucca Mountain.

I am and will continue to be an advocate for nuclear energy. When we generate electricity from nuclear power, we also create waste. Not only do we need a national solution to this problem, we have one – a permanent geologic repository in Nevada: Yucca Mountain. Congress has already established a comprehensive nuclear waste management strategy over 35 years ago when we enacted the Nuclear Waste Policy Act (NWPA). This assigned the responsibility of permanently disposing spent nuclear fuel (SNF) to the Department of Energy (DOE). It also established a “fee-for-service” funding model in which fees assessed for electricity generated by nuclear power are paid to the federal government to finance a disposal program.

Because the Department of Energy (DOE) and the federal government have defaulted on their contractual obligation, ratepayers across the United States have paid around \$40 billion in fees for the construction and operation of a permanent nuclear waste repository. Federal law required the Department of Energy (DOE) to begin disposing of nuclear waste by 1998. Clearly the federal government has aggressively failed to meet this contractual deadline by over 20 years, unnecessarily costing Americans billions of dollars. In addition to what ratepayers have paid, taxpayers have paid nearly \$7 billion in legal damages. In Fiscal Year 2017 alone, taxpayers paid nearly \$732 million, which breaks down to about \$2 million per day in damages.

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And for what? Given our rising \$22 trillion dollar debt, it is important to remain cognizant of what else this money could be funding.

Despite the billions American ratepayers have paid, American taxpayers are liable for nearly \$30 billion in payments to manage the spent nuclear fuel in 121 communities across 39 states. Appropriating funding to restart the program is the first step towards reducing and ultimately eliminating these escalating costs. It is time the federal government stop kicking the can down the road. Doing this for 40 years has resulted in about 80,000 tons of commercial spent nuclear fuel and 14,000 tons of defense waste currently scattered in temporary storage over 100 sites. Most of these commercial spent nuclear fuel storage sites are near large population centers and large bodies of water. Over 161 million Americans live within 75 miles of these facilities.

The issue of nuclear waste is one of particular interest to my constituents and South Carolina as a whole. Nuclear energy generates over 58 percent of our state's electricity. South Carolina is home to 7 nuclear reactors at 4 locations. These sites in South Carolina store 4,798 metric tons of used nuclear fuel as of 2017. In addition, just outside my district, the Department of Energy's Savannah River Site (SRS) stores approximately 8,000 tons of vitrified nuclear waste, along with 35 million gallons of high-level liquid waste. There are over 4,000 canisters filled with vitrified glass waste sitting at the Savannah River Site ready to ship to Yucca Mountain. They started this mission over 20 years ago and have since been waiting for us to license a permanent repository. Until Yucca Mountain is licensed, the Savannah River Site will continue to be the custodians of the waste, which was never the intended purpose of the site. In addition to the waste still sitting in my state, through September of 2016, South Carolina ratepayers have contributed, including interest, approximately \$3.1 billion dollars to the

Department of Energy's Nuclear Waste Fund to permanently dispose of this used nuclear fuel at Yucca Mountain. This is the third most of any state.

I would also like to take a moment to express my strong support for the Department of Energy's funding request for the Savannah River Site – and specifically funding for both the H-Canyon facility and the proposed Savannah River Plutonium Processing Facility. H-Canyon is the nation's only remaining production scale facility capable of processing nuclear materials for reuse or proper disposition. Additional funding for H-Canyon will allow the facility to continue to reduce the proliferation risks of nuclear materials in storage throughout the world. H-Canyon also supports environmental cleanup and nonproliferation efforts needed for a more secure and less expensive nuclear weapons complex. I also ask the Committee to support the Department of Energy's funding request for the proposed Savannah River Plutonium Processing Facility. For more than 60 years, Savannah River has helped build and maintain the US nuclear stockpile, including ongoing tritium operations at the site. I believe the Savannah River Site has the workforce, the technical capability, and the experience needed to re-build an enduring plutonium pit manufacturing capability.

I was extremely supportive in 2017 when President Trump took the initial step to request funding to resume the Yucca Mountain project. It has been overwhelmingly proved that Yucca Mountain will protect the people and the environment for thousands of generations. The natural features of the mountain (*geology, climate, distance above water table, and isolation*) make it the perfect place for the repository. I have been there myself and I have seen firsthand how suitable the site is; it is a perfect geologically location. The license application has resulted from more than two decades of expert scientific research and engineering by the Department of Energy and

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its contractors, their national laboratories, the U, S. Geological Survey, and many colleges and universities. Storing spent nuclear fuel at Yucca is overwhelmingly safer than having it scattered across communities in the United States.

It is truly astounding we have allowed billions of dollars to go to the operation and construction of this site without a single ton of nuclear waste transferred there. It is time we hold the federal government accountable to the law of the land. Congress in a bipartisan fashion has funded the Yucca Mountain project for a generation and I have worked with numerous colleagues on the other side of the aisle to get this done. I urge the committee to support the President's proposed budget for nuclear waste disposal at Yucca Mountain. It is long overdue that we reform our nation's nuclear waste policy and utilize Yucca Mountain for its intended purpose: a permanent geologic repository.